

Article 15 DowntownCode

Sections:

- 15.1 Purpose, Intent, and Applicability
- 15.2 Introduction to the DowntownCode
- 15.3 Definitions
- 15.4 Regulating Plan and Street Typologies and Standards
- 15.5 Allowed Uses
- 15.6 Development Standards
- 15.7 Building and Frontage Types
- 15.8 Signs
- 15.9 Parking
- 15.10 Architectural and Design Standards
- 15.11 Special Use Regulations

15.1 Purpose, Intent, and Applicability

1. **Purpose and Intent.** The purpose of this Chapter is to establish unique allowed use and development standards for subject property within the downtown area of Frederick. It is the intent of these standards to help preserve and protect the existing, historic, and unique character of the downtown by requiring new construction, remodels, and existing construction to complement the existing built environment. Additionally, through the application of these standards, the downtown will continue to be the pedestrian-oriented shopping, dining, entertainment, and living center of the Frederick community.
2. **Applicability.**
 - a. **Standards and Entitlement Review.** The standards of this Article apply to all property zoned either Downtown-A (D-A) or Downtown-B (D-B) as shown on the Regulating Plan (Section 15.4). All qualifying projects within the D-A or D-B zones shall be subject to Development Review prior to issuance of building permit. Additionally, those uses that require a Business License as listed in Section 15.5 (Allowed Uses) shall obtain a Business License prior to establishment of the use. In addition to the application of the D-A and D-B Zoning District, the downtown is also governed by the Regulating Plan. The Regulating Plan addresses how development interacts with the street and how the street is developed. The application of both the Zoning District and the Regulating Plan are described in more detail in Sections 15.2.1 (Defining the DowntownCode) and 15.4 (Regulating Plan and Street Typologies and Standards). Generally, the Zoning District designation (D-A or D-B) defines the character and allowed use provisions for the subject site while the Regulating Plan defines the development standards (setbacks, building typology, street standards).
 - b. **Applicability of Regulating Plan Standards.** Generally, the development standards applicable to a property shall be those for the respective zone (either D-A or D-B) as well as the street frontage as reflected in the Regulating Plan.

shall, in addition to any other findings required by this Land Use Code, make the following findings:

- (1) Development Application – That the proposed development complies with the regulations of the DowntownCode, promotes the spirit of the downtown by integrating into the fabric of its public and private built environment (the downtown's DNA – what makes its unique character) and complementing the architectural quality of the downtown.
- (2) Amendment to the DowntownCode – The proposed amendments to the DowntownCode are consistent with the intent of the DowntownCode by helping to preserve and protect the existing, historic, and unique character of the downtown.

3. **How to Use the DowntownCode.** The DowntownCode regulates many aspects of development, but is structured to be as user-friendly as possible. The following outline is intended as an orientation that walks a user through the primary aspects of the Code.

- a. **Determine the District and Street Typology governing the parcel with Section 15.4.** First, refer to the Regulating Plan in this chapter (see Section 15.4.A) to determine which district the parcel is located in. The district is necessary for understanding the majority of the document; it determines applicable development standards and allowed uses. Next, use the Regulating Plan to determine which street typology applies to the parcel. Street typology standards dictate factors such as street widths, lane widths, and right of way dimensions. Most private development projects will not affect or need to consider street typology standards. These are primarily for the Town to use when it makes larger-scale infrastructure improvements such as the expansion of the downtown to vacant lands west of Colorado Boulevard.
- b. **Determine the Allowed Uses with Section 15.5.** The DowntownCode specifies which land uses are allowed, conditionally allowed, and prohibited for the two districts established for downtown. Refer to Section 15.5 (Allowed Uses) to see which uses are allowed for the parcel and to find definitions of land uses.
- c. **Determine Basic Development Standards with Section 15.6.** For any development to take place on a parcel, it must be done in conformance with the regulations provided in the DowntownCode. The primary development standards for all development are provided in Section 15.6.2 (Area-Wide Standards) and Section 15.6.2.e. (Development Standards). Section 15.6.2 (Area-Wide Standards) applies to all development, regardless of Zoning District. Section 15.6.2.e. (Development Standards) provides standards by Zoning District, including building height and placement. These regulations essentially create a "building envelope" for each parcel based on its district, determining the space on the parcel in which development can take place. Section 15.6.4 (Storefront Regulations) also provides storefront standards that provide further regulation on the dimensions of building frontage features; unlike the general development standards, these standards are only applicable to first floor commercial uses with storefront frontage, gallery, and arcade types.
- d. **Determine Form Based Requirements with Section 15.7.** The DowntownCode goes beyond the traditional zoning code; whereas traditional zoning codes simply regulate uses and dimensions, the DowntownCode actually regulates building form and style to work towards an enhanced character and

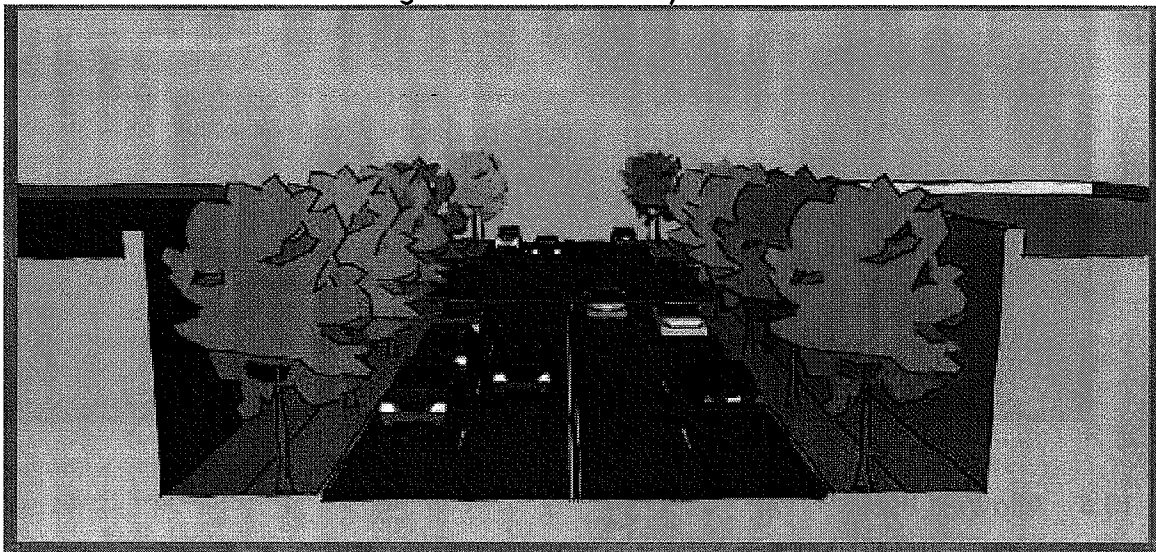
- a. **Primary Streets.** 5th Street is the historic commercial heart of downtown Frederick. It serves as a central east/west spine of the community, containing the majority of the downtown's major uses and acting as the primary downtown street. This area benefits from the presence of retail businesses, restaurants, and other community-serving businesses. Additionally, although it is not yet built-out, Colorado Boulevard/WCR 13 is also considered a Primary Street because it is the north/south spine of the community and the primary access road into Frederick coming from Highways 66, 119, 52 and ultimately Interstate-25.
- b. **Secondary Streets.** The secondary streets of downtown Frederick display a mix of local retail uses, offices, and single-family homes. They have a more intimate nature, as is reflected in the narrower sidewalks and streets, as well as street trees and landscaping.
- c. **Alleys.** Alleys bisect downtown Frederick and provide supplementary forms of access and lively forms of public space, with a confluence of residential, commercial, and office uses. They provide alternative routes between uses, but also provide supplemental service space.
- d. **Paseos.** Paseos are local and private pathways serving as alternative pedestrian and bicycle routes that do not accommodate vehicles. These paths are oriented towards the pedestrian, and provide spaces that engage users with their surroundings. Landscaping, street furniture, and pedestrian-scaled features make these engaging routes of travel while offering safe routes separated from vehicular uses.

2. **Street Typologies and Standards.** The purpose of this section is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places for vehicular traffic, bicyclists, and pedestrians. These streetscape typologies and standards are unique to Chapter 15 and are intended to implement the vision by acting as building blocks for the distinct components and unique street types that compose downtown.
- a. **Street Typologies.** The Streetscape Typologies allowed in zones D-A and D-B are listed below:
- (1) **Primary Streets.** The primary street of downtown Frederick is 5th Street. It runs in an east-west direction through the Town and serves as the primary arterial and commercial corridor of the community. In addition, Colorado Boulevard/WCR 13 serves as the primary north-south arterial for the Town, and also functions as a main Weld County Road. As such, special design considerations and approvals will be necessary for development along the Boulevard. Characteristics of the Primary Streets include:
 - (a) Street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.
 - (b) Parallel parking and wide sidewalks should create a safe, inviting environment for both pedestrians and motorists.
 - (c) Primary intersections should provide pedestrians with safe passage. Features may include signalized crosswalks, mid-crossing pedestrian islands, and differentiated accent paving within the intersection.
 - (d) Turning movements typically occur from within the main travel lanes; however, short (one to two car-lengths) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
 - (e) Because 5th Street is the primary downtown thoroughfare and Colorado Boulevard/WCR 13 is an arterial roadway leading into the downtown, both streets provide unique opportunities for gateway monumentation, as expressed in the Vision Plan, at the entrances to the downtown area.
 - (2) **Secondary Streets.** Secondary streets in downtown Frederick are all other neighborhood streets in downtown other than 5th Street and Colorado Boulevard/WCR 13. These secondary streets are home to community-serving retail stores and historic residences. These streets have a more intimate nature than other areas. Characteristics of Secondary Streets include the following:
 - (a) Landscaping and larger street trees should frequently interrupt the parking lanes to soften the visual impact of the parked vehicles and to help cool the air heated by the pavement.
 - (b) Parallel or diagonal parking should be used for convenient store access and to slow traffic. Wide storefront sidewalks should create a walkable, pedestrian-oriented atmosphere.
 - (3) **Alleys.** Alleys are narrow public drives serving commercial and residential development. In commercial developments, alleys provide the primary service access and loading areas for businesses. Additional characteristics of Alleys include the following:
 - (a) Customer entrances may also be located off of alleys. In addition, if it does not obstruct the flow of vehicular and pedestrian traffic,

Figure 15.4-2: Primary Street



Figure 15.4-3: Secondary Street



residential structures to offices and boutique retail users. The area is characterized by a predominance of professional offices, small restaurants and very small scale retail/service commercial uses, with complimentary mixed-use and freestanding residential units.

2. **Allowed Uses.** Table 15.5-1 (Allowed Uses) identifies the allowed uses within the downtown. These allowed use regulations are listed by Zoning District (D-A or D-B). The uses listed are defined in Article 1. The symbols in the table are defined as:

P – Permitted Use (Permitted by Right)

C – Conditionally Permitted Use (Conditional Use Permit Required)

N – Not Permitted

Table 15.5-1: Allowed Uses

Uses	D-A Zone	D-B Zone
Adult Uses, including product sales and entertainment.	N	N
Attached Single-Family Residential	N	P
Automobile Oriented Uses, including gasoline stations, car washes, repair shops, auto retailers, and auto storage.	N	N
Commercial Recreation and Entertainment	P ¹	C ¹
Church	P	P
Detached Single-Family Residential	N	C ²
Funeral Homes	P	N
Government/Institutional	P	P
Home Occupation	P	P
Hotel/Motel	P	C
Live/Work Space	P	P
Medical Marijuana Operation	N	N
Mixed-Use	P	P
Multi-Family Residential	P	P
Professional Offices, Financial Services, and Clinics	P	P
Personal Services, including barber shops, beauty salons, garment repair, and appliance repair	P	P
Retail Commercial	P ¹	P ¹
Sit-Down Restaurants	P ¹	P ¹
Warehousing, Manufacturing, Wholesaling and Distribution	N	N

Notes:

1. Alcohol sales permitted on premises subject to Liquor License/Permit Process.

2. Conditional approval applies only to detached single-family residences proposed following adoption of this code. Pre-existing detached single-family residences in the D-B zone shall continue to be permitted by right.

(Revisit in 2015 to consider not allowing this use on the ground floor.) This note will not be included in the LUC.

district are provided below in Table 15.6-1 (Development Standards) and displayed in Figure 15.6-1 (Building Placement).

Table 15.6-1: Development Standards

Development Standard		D-A Zone	D-B Zone
Maximum Building Height		35'*	35'
Building Placement (setbacks)	"Build-To" Front Line Maximum'	10'	10' ^{2,3}
	Minimum Side Yard	0'	0'
	Minimum Rear Yard	0'	10'

Notes:

* The maximum building height may be increased to 45 feet if the project demonstrates an exceptional level of improvement to the "public good and welfare" by providing for pedestrian comforts such as plaza's, weather protection, seating, water features and the like.

1. "Build-To" lines are defined as the edge where the front building façade is placed on the property relative to the edge of the right-of-way (sidewalk in most cases)
2. Through Design Review, larger sites may provide additional buildings with larger setbacks from the public right-of-way then otherwise permitted by the "Build-To" Line standard, provided that a minimum of 30 percent of the total site frontage is developed with one or more buildings that are developed consistent with this provision.
3. Residential buildings may be constructed with a "Build-To" Line between 10' and 20' provided all residential buildings are sited in a manner consistent with the setbacks of adjacent properties. The appropriate setback shall be determined through Design Review to achieve a balance between the existing character of neighborhoods and the desired level of change. Residential uses include Attached Single-Family, Detached Single-Family, and Multi-Family Residential uses. For all other uses, the 10' "Build-To" Front Line maximum applies. For single family homes, which are exempt from Design Review, the "Build-To" Line determination shall be made as part of Plan Review.

Figure 15.6-1: Building Placement

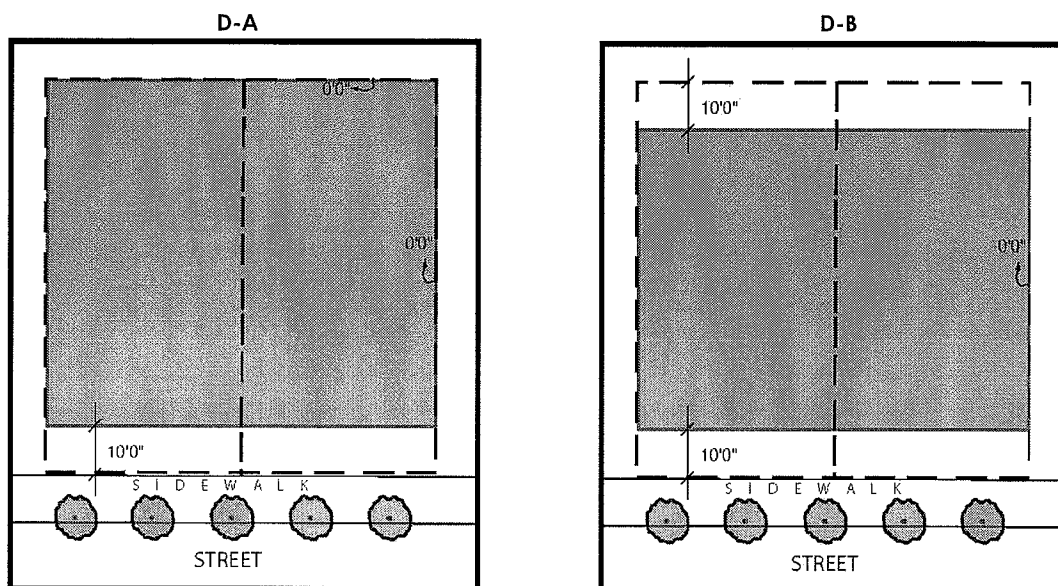
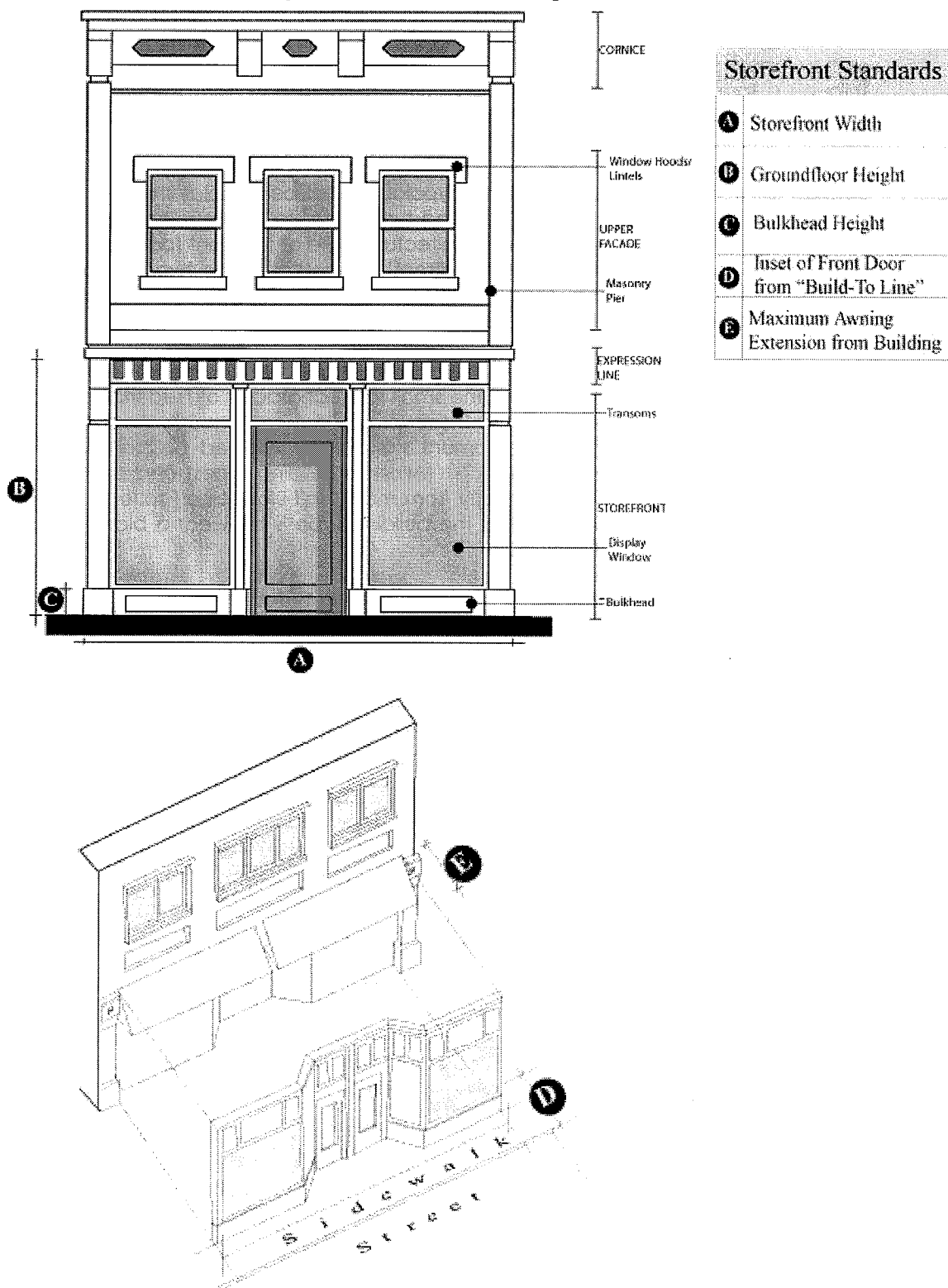
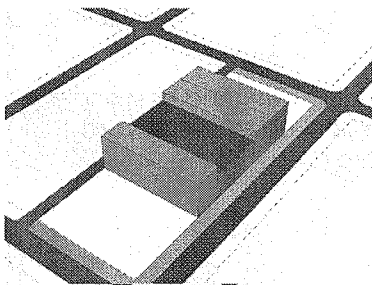
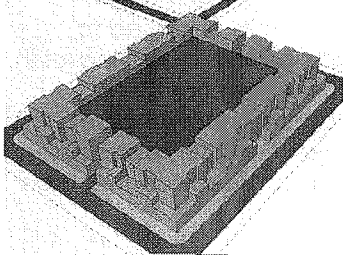


Figure 15.6-2: Storefront Design Standards

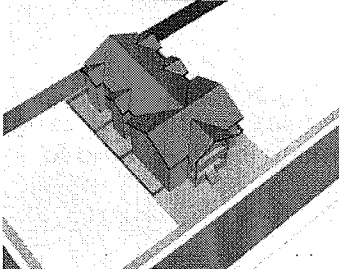




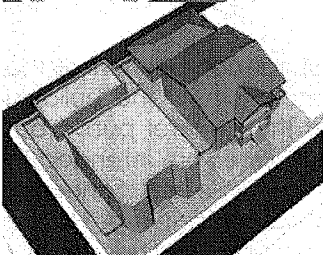
Infill. An attached building with a frontage that is less than one-third the length of a downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



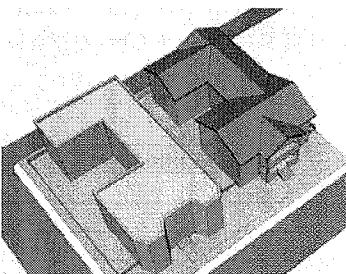
Terraced. A mixed-use, residential, or commercial building characterized by individual units that are accessed via multi-leveled outdoor terraces. The terraces are intended to be semi-public spaces that are extensions of the public realm.



Multi-Family Faux House. A multi-family faux house building type is a detached building that has a street appearance of a large house which contains more than four dwellings. Each dwelling is individually accessed from a central lobby, which in turn is accessed directly from the street.

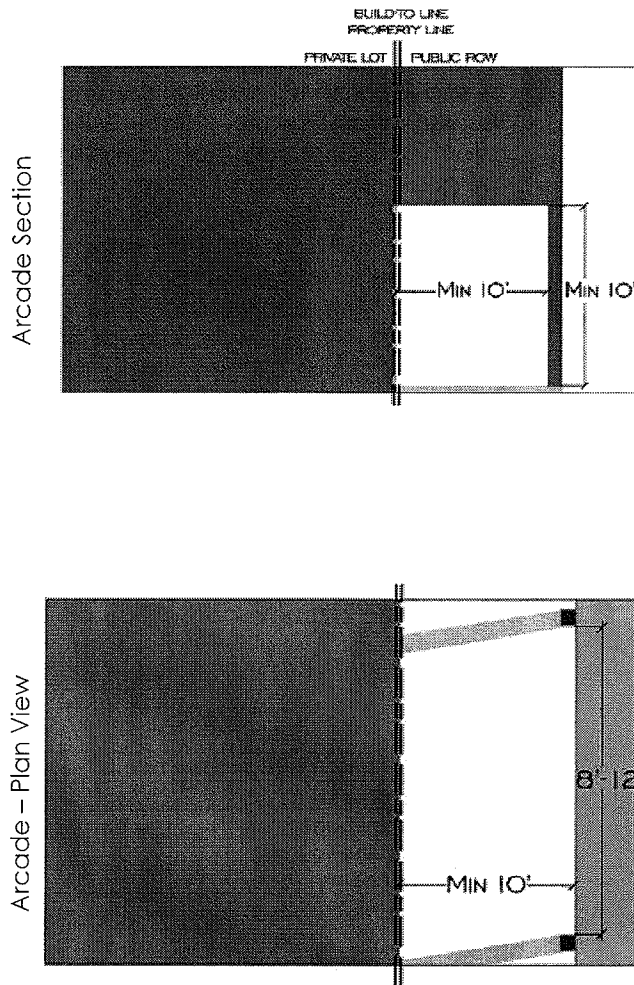


Du/Tri/Fourplex. A du/tri/fourplex is a building type that contains two, three, or four dwelling units. Each unit is individually accessed directly from the street.



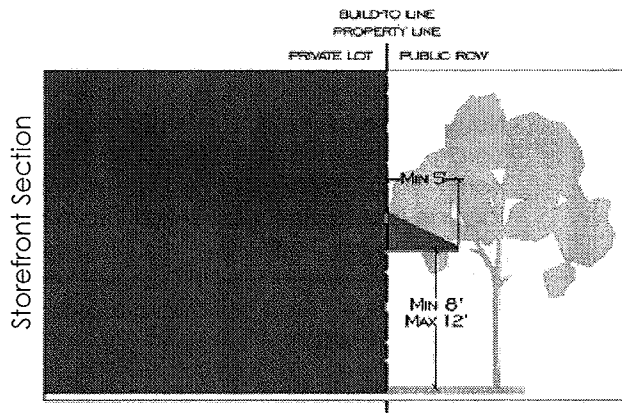
Side Yard Housing. A building or group of buildings containing dwelling units arranged on a lot in a row with the first unit facing the street. The primary entrance to each unit is from the side yard or, in the case of units facing the street, the front yard.

5. Frontage Type Descriptions

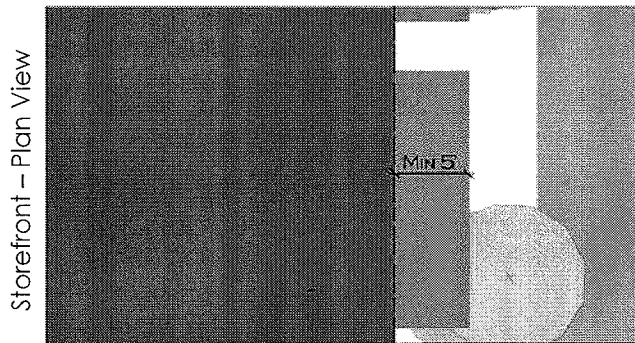


Arcade. An Arcade frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at the sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way. The upper stories of the building may also project over the public sidewalk and encroach into the public right-of-way. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. This frontage is typically appropriate for retail use. In the case of 5th Street the current sidewalk width is insufficient to accommodate this type of development encroaching upon the sidewalk, therefore this frontage would need to be accommodated on private property.

Arcade Frontage Dimensions	
Characteristic	Feet
Depth (minimum, from build-to line to inside column face)	10
Height (minimum clear)	10
Percentage of Building Front	75 – 100%



Storefront. A Storefront frontage is characterized by a façade which is aligned very close to the public right-of-way line with the building entrance at sidewalk grade. Storefront frontages have substantial glazing on the ground floor, and provide awnings or canopies cantilevered over the sidewalk. Building entrances may either provide a canopy or awning, or alternatively, may be recessed behind the front building façade.



Storefront Frontage Dimensions	
Characteristic	Measurement
Awning Depth (minimum projection, over the sidewalk)	5 feet
Height (from ground level to the bottom of the awning)	8 foot minimum, 12 foot maximum clear
Percentage of Building Front	50% minimum

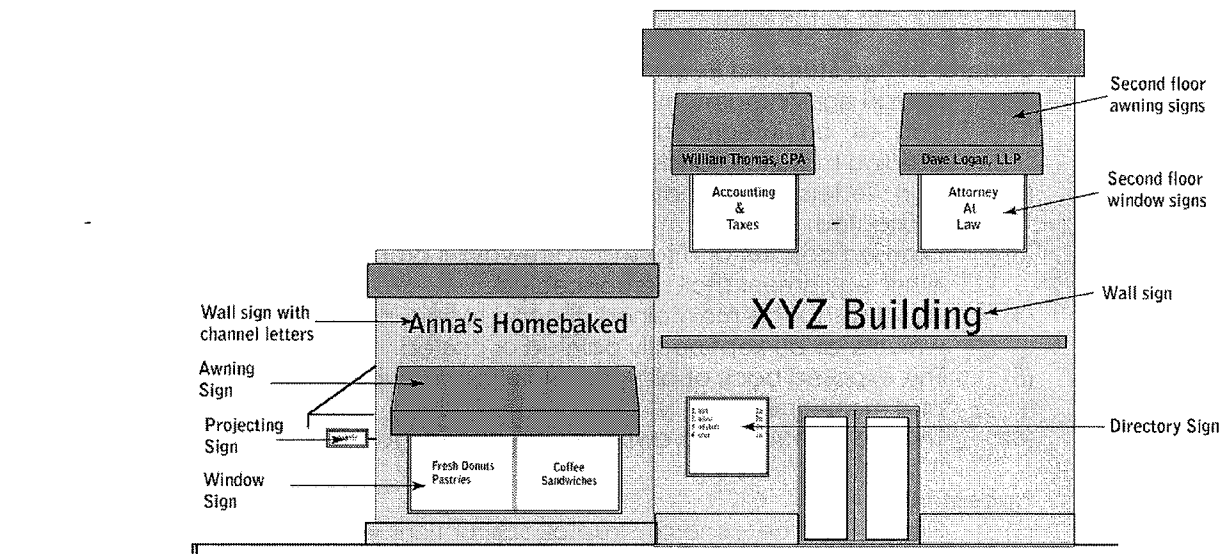
Table 15.8-1: Allowable Sign Types

Allowed Sign Types	D-A	D-B
Awning Sign	A	A
Projecting Sign	P	P
Directory Sign	A	A
Electronic Message Sign	A ²	N
Sandwich Boards Sidewalk Sign	A ¹	N
Temporary Signs	A	A
Wall Sign	P	A
Window Sign	P	P

Notes:

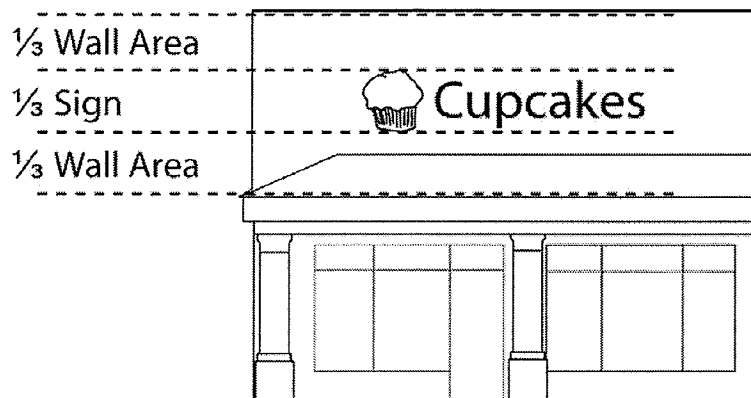
1. A-frame signs are permitted provided that they do not interfere with activity in the pedestrian right-of-way and are only displayed during business hours.
2. Electronic message signs are only permitted when located on Town or other public property.

Figure 15.8-1: Sign Types



2. **Sign Size and Number.** When a sign type is allowed for a district as established in Table 15.8-1 (Allowable Sign Types), the maximum allowed number and size for signs in downtown shall be as follows:
 - a. **Wall Sign.** One wall sign per building frontage. Maximum wall sign area is determined as follows, not to exceed one-hundred (100) square feet:
 - (1) One square foot of area for each lineal foot of property frontage, or portion thereof, shall be permitted on each side of the building fronting on a street, parking lot, or paseo. No more than two total wall signs are permitted per establishment.
 - (2) Window signs and Awning signs shall be subject to the same area rules as wall signs and shall count towards the overall total area allowed.
 - b. **Projecting Signs.** One projecting sign per building, in lieu of a wall sign, not to exceed 0.4 square feet for every linear foot of main entrance facade frontage,

Figure 15.8-2: Text Scale



c. **Materials.**

- (1) Materials should be consistent with the building. See Figure 15.8-3 (Sign Materials).
- (2) Paper and cloth signs are appropriate for interior temporary use only and are not permitted on the exterior of a building, except as awning signs.
- (3) The use of neon is permitted in the D-A zone if it fits with the style of the architecture and is not a nuisance (e.g., produces glare) to the surrounding properties.

Figure 15.8-3: Sign Materials

Sign Tips: Colors and Materials

- Use exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.
- The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.
- Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.
- Limit the total number of colors used in any one sign. Small accents of several colors may make a sign unique and attractive, but the competition between large areas of many different colors decreases readability.



Exterior materials, finishes, and colors should be the same or similar to those of the building or structures on site.

- d. **Sign Legibility.** Avoid spacing letters and words too close together. Crowding of letters, words, or lines will make any sign more difficult to read. Conversely, over-spacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than 75% of the sign panel area. See Figure 15.8-4 (Sign Legibility).

15.9 Parking

Parking requirements have been designed to encourage pedestrian activity and economic growth in downtown Frederick. In the design of parking facilities, consideration should be given to locating parking in the back or sides of buildings in order to maintain a continuous retail façade for pedestrians along downtown streets.

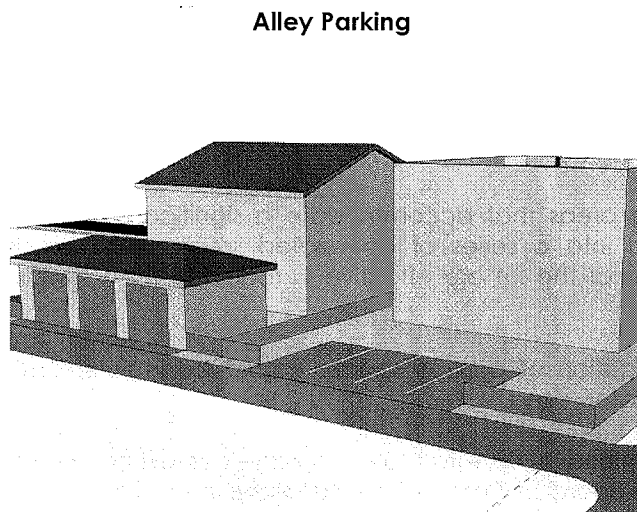
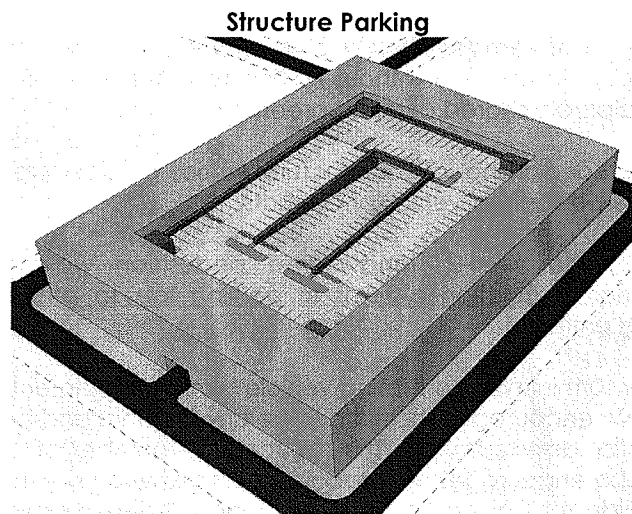
1. **Allowable Parking Types.** Allowable parking types are listed in Table 15.9-1 (Parking Types and Ratios) and defined below. An "A" means that the parking type is allowed; a "P" means that the parking type is preferred and highly encouraged. A "N" means that the parking type is not allowed. Parking types are also depicted in Figure 15.9-1 (Parking Types).

Table 15.9-1: Parking Types and Ratios

Allowed Parking Types	D-A Zone	D-B Zone
Surface Parking – Behind Building	P	P
Surface Parking – Next to Building	A	P
Parking Structure	N	A
Alley Access	A	A
Vehicle Parking Ratios	D-A Zone	D-B Zone
Commercial Uses	1 sp/400 sf ¹	1 sp/400 sf ¹
Office Uses	1 sp/500 sf ¹	1 sp/500 sf ¹
Residential Uses	1.5 sp/unit	1.75 sp/unit
Bicycle Parking Ratios	D-A Zone	D-B Zone
Commercial/Office Uses	0.3 sp/1,000 sf	0.3 sp/1,000 sf
Residential Uses	1 sp/unit	1 sp/unit

Notes:

1. Exceptions to parking requirements are provided by land use in the Design Review Process. Refer to section C (Parking Exemptions) below.



2. Parking Standards.

- a. Downtown Frederick should encourage "one-stop" parking where shoppers park once and visit multiple stores on foot. In addition, reduced parking requirements and shared parking lots will help create a pedestrian-oriented downtown environment.
- b. Locating parking lots between the front property line and the building store front is expressly prohibited. Instead, parking should be located to the rear of buildings.
- c. When off-street parking in the rear is not possible, the visual impact of headlight spill and visual impact of the asphalt parking surface shall be minimized by landscaping. Fences and/or walls may be used in conjunction with landscaping and are limited to a maximum height of three feet.

15.10 Architectural and Design Standards

1. **Purpose and Intent.** The purpose of these Architectural and Design Standards is to guide preservation, improvements, renovations, and future development in downtown Frederick. These provisions describe and illustrate architectural and design standards that are appropriate for downtown Frederick. They establish the criteria used by the Town in reviewing proposed development, and are intended to encourage high quality design and development, creativity, and innovation in downtown Frederick.

Please note that the mandatory development standards contain the words "shall", "must", or "will". Standards that contain the word "should" mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.

2. **Site Design.** Siting involves a project's relationship to the property, the street, and adjacent buildings. In the downtown area, buildings should be sited in ways that provide a comfortable and safe environment for pedestrians while accommodating vehicles.

- a. **Building Siting.**

- (1) Most of the building "streetwall" should meet the front setback lines, except for special entry features, architectural articulation, and supplemental sidewalk areas or other public spaces.
- (2) Residential buildings should be oriented towards the street for safety considerations as well as to encourage social interaction among neighbors.

- b. **Compatibility with Adjacent Uses.**

- (1) Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment.
- (2) Commercial uses developed as part of a mixed-use project (with residential units) should not be noise intensive.



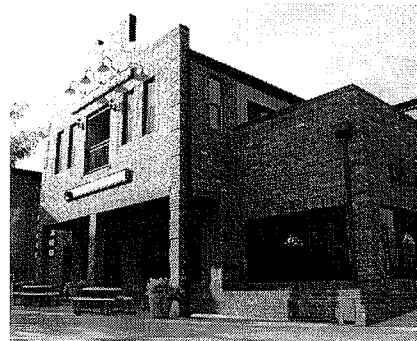
- c. **Refuse, Storage, and Equipment Areas.**

- (1) Trash storage must be fully enclosed and incorporated within the main structures or separate freestanding enclosures. Trash storage cannot be placed under stairways.
- (2) All trash and garbage bins should be stored in an approved enclosure. Refuse containers and service facilities should be screened from view by solid masonry walls with wood or metal doors. Chain link fencing with slating is not permitted. Use landscaping (shrubs and vines) to screen walls and help deter graffiti.
- (3) Trash enclosures should allow convenient access for commercial tenants. Siting service areas in a consolidated and controlled environment is encouraged.
- (4) Trash enclosures shall be located away from residential uses to minimize nuisance for the adjacent property owners. The enclosure doors should not interfere with landscaping, pedestrian, or vehicle path of travel.
- (5) Trash enclosures shall be architecturally compatible with the project.

- (5) Backs of buildings shall not be placed along a street frontage. Include entrances or public views into the site or building. If the rear of the building must be located along a street because of site constraints, then architectural detailing shall be included that provides the illusion of being a front to the building.
- (6) Building mass should be parallel or on axis with adjacent street(s) (e.g., building walls should be aligned with adjacent streets, and not angled differently than adjacent streets).

- c. **Architectural Style.** New development should enhance the existing character of downtown Frederick by complimenting the historic architectural themes in the community. Examples of appropriate styles for commercial architecture include Italianate, Richardsonian Romanesque, Colonial Revival, and Classical Revival. Additionally, typical residential styles include Tudor, Victorian, Craftsman, and Four Square. However, the general theme of the appropriate architecture of Frederick includes, but is not limited to, the following general architectural features:

- (1) Elements that overhang the pedestrian walkway, including arcades, galleries, porticos, balconies, awnings, and canopies;
- (2) Exterior cladding materials such as brick, wood siding, or stone;
- (3) Recessed entry alcoves and windows;
- (4) Trim around doors and windows, especially the use of window ledges; and
- (5) Flat roofs with parapet walls.



The subsequent sections describe individual design criteria that implement the architectural style for the downtown.

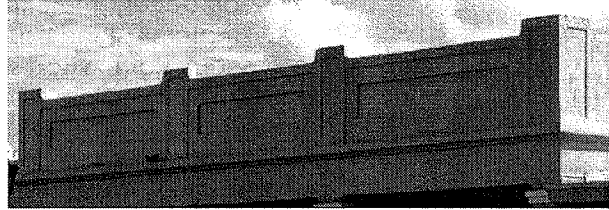
- d. **Facades, Windows, and Doors.** Entries and facades define a building; they should create a statement and serve to unify its design. The entry and front façade function as the primary focal point of the structure, and they should create visual interest, enhancing the public realm and the pedestrian experience. Recessed entries are typical of commercial structures for the architectural styles established for the downtown. The following identify desirable entryway, façade, and window features.

- (1) Facades that front on public streets should have a variety of architectural features, including arcades, canopies, display windows, entries, or awnings, unless the structural integrity of the building is at stake.
- (2) Design building entrances as prominent and easily identifiable and create a transition between the exterior and interior. Main building entries should be accented with strong architectural definition to pedestrians. Secondary entrances should have minor detailing that adds



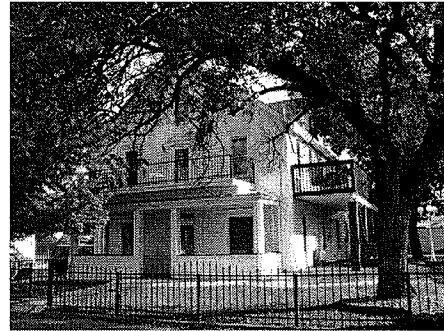
e. **Roofs and Upper Story Details.**

- (1) Roofs should be given design considerations and treatment equal to that of the rest of the building exteriors.
- (2) Roofline elements should be developed along all public-facing elevations.
- (3) Articulate side and rear parapet walls by using height variations, relief elements, and thoughtfully designed scuppers (openings for draining water), downspouts, and expansion joints.
- (4) Cornice lines of new buildings (a horizontal rhythm element) should transition with buildings on adjacent properties to avoid clashes in building height.
- (5) The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings.
- (6) Avoid exaggerated roof slopes.
- (7) Access to roofs should be restricted to interior access only, unless the International Fire Code requires otherwise.
- (8) Generally, flat roofs are the appropriate roof treatment in the downtown; however other roof materials, such as shake, shingle, slate, metal seamed, or green roofing may be considered as part of Design Review.
- (9) Rooftop patios are encouraged.



f. **Walls and Fences.**

- (1) The use of chain link, fabric, or concrete block fencing is prohibited, except that concrete block walls may be used to enclose trash containers.
- (2) Fencing shall not obscure the front elevation of the primary structure on the property. Therefore, front yard privacy fences, particularly on residential property, should not be allowed. Structural members of a fence should be turned in to face the property.
- (3) The finished side of the fence should be presented to the street. On corner lots, the guidelines apply to the front yard and street side yard of the property.



g. **Building Materials and Colors.**

- (1) Projects should be designed using a limited assortment of materials, textures, and colors. Too many materials or textures lead to fragmented design.
- (2) Design projects with durable, low-maintenance, and timeless building materials of the same or higher quality as surrounding developments.

- people of all abilities.
 - (2) Pedestrian pathways crossing an on-site vehicle drive aisle, loading area, or parking area, shall be made identifiable by the use of an alternative hardscape material such as pavers, patterned, stamped, or colored concrete.
 - i. **Franchise/Corporate.**
 - (1) The scale, design, and materials of franchise/corporate architecture should be consistent with adjacent buildings.
 - (2) The Town recognizes the unique development constraints for corporate retailers to accommodate the sales volume and demand of its users. The Town encourages creative design solutions for franchise retail development to minimize the "one size fits all" look of corporate architecture.
 - j. **Security.**
 - (1) Create a secure development for both the site and its occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.
 - (2) Locate buildings and windows to maximize visibility of entryways, pathways, and parking lots.
 - (3) Adequate security and safety lighting for pedestrians from parking spaces to all building entries and exits shall be provided.
 - (4) Street addresses for commercial, public, or multi-use residential buildings shall be easily visible on the front of the building both during the daytime, and at night.
- 4. **Landscaping.** Landscaping in downtown Frederick should be pedestrian-oriented and reflect and enhance the area's small town charm. These provisions emphasize the use of potted plants, trees, landscaping along urban streetscapes, and within urban parking lots. Landscaping shall be provided on-site consistent with the standards set forth below.
 - a. **Landscaping Standards.**
 - (1) **Street Trees and Other Landscaping.** Street trees shall be provided every 30 to 50 feet on center within the required landscape area and along public streets. Additional landscaping, such as accent plants, shall also be provided within dedicated landscape areas. Plant selection shall be from the suggested landscaping list in Table 15.10-1 (Suggested Planting List) and as approved through Design Review.

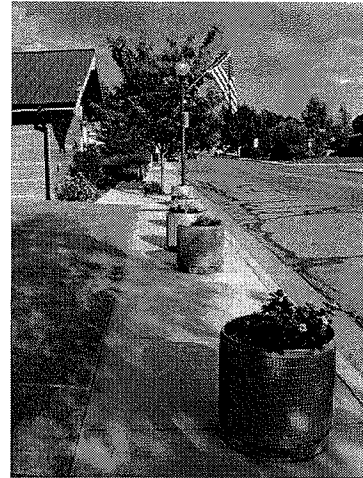
	Wood's Rose Boulder Raspberry Red-Berried Elder
Large Shrubs (12')	Hoptree, Wafer Ash Silver Buffaloberry Wasatch Maple Gambel's Oak, Scrub Oak Wavyleaf Oak, Scrub Oak
Ground Covers, Grasses, Wildflowers	
Ground Covers	Creeping Holly-Grape Pussytoes Sedum Thyme
Ornamental Grasses	Switchgrass Little Bluestem Blue Wildrye Blue Fescue Blue Avena Grass

(2) **Standard Design Concepts.**

- (a) Use landscaping to complement the architecture, to minimize the impact of incompatible land uses, and to establish a transition between adjacent developments. Plant materials can absorb sound, filter air, curtail erosion, provide shade, and maintain privacy.
- (b) Provide landscaping to break up blank walls, shade pedestrians, accent entries, and soften the connection of paving for vehicles to buildings.
- (c) Landscaped areas should generally utilize a three-tiered hierarchy of plants: grasses and groundcovers, shrubs, and trees. All areas in downtown that are not covered by structures, walkways, driveways, and parking spaces should be landscaped in this manner.
- (d) New development should look established as quickly as possible. Utilizing mature trees and plants in landscaping is encouraged to achieve this.
- (e) Preservation and incorporation of existing mature trees and other forms of vegetation is encouraged for new development. When removal is necessary, all natural vegetation should be salvaged and replaced where possible.
- (f) The use of drought-tolerant low-maintenance landscaping is strongly encouraged. Standard grass strips are strongly discouraged.
- (g) Water conservation should be an important factor in plant selection. Plants that require low amounts of water are encouraged.
- (h) Landscaped areas should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed planters, or the use of curbs.

(4) **Pots and Planters.**

- (a) Due to the built-out nature of much of downtown, the use of alternative, creative landscaping measures is highly encouraged. This can be achieved through boxed planters and pots.
- (b) Boxed and container plants in decorative planters of ceramic, cast stone, terra cotta, or other durable materials that compliment architectural styles and materials should be used to enhance public areas.
- (c) Pots and planters should have color tones that compliment the adjacent structures and the historic character of downtown.
- (d) Large planters may also be incorporated into seating areas. Such planters should be open to the earth below and be provided with a permanent irrigation system.



(5) **Water Quality and Urban Runoff.** The use of bioswales and landscaped water quality basins represent the preferred approach to urban runoff and stormwater quality control in the downtown. Bioswales are landscaping elements that are used to collect and purify water before it saturates the ground, and are filled with vegetation or other materials conducive to draining. Such features add aesthetic character, utilize natural materials, and serve as a functional element that allows for stormwater management.

- (a) On lots that permit it, bioswales and similar natural landscaped runoff control facilities should be used to enhance appearance of stormwater management methods and allow for groundwater recharge.
- (b) On large enough lots that are not paved or developed over, bioswales should be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales should be graded to direct water away from paved areas into detention basins.
- (c) Bioswales should utilize a slope that is steep enough to prevent ponding and shallow enough to slow water down. Soils must not readily drain water; the goal is to get cleaner water to flow downstream. Recommended slopes of one to four percent should be used. Flow should be sufficiently low enough to provide adequate residence time within the channel. Flow depth should not be taller than the vegetation (a maximum depth of four inches in recommended). Final design of any bioswales shall be subject to approval of the Town Engineer.

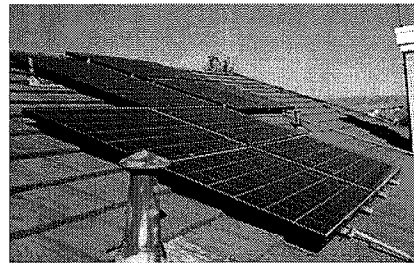
5. **Lighting.** In downtown Frederick lighting fixtures within developments should be attractively designed to complement the architecture of the project and surrounding development, and should improve the visual identification and safety of residences and

- (14) Lighting should be consistent with the historic small town character of Frederick.

- 6. **Sustainability.** The purpose of this section is to enhance the public welfare, and to encourage commercial, residential, and civic development to incorporate green building measures into the design, construction, and maintenance of buildings. Sustainable design elements should respect and compliment the downtown's historic character, and advance the creation of an environmentally and economically sustainable community.

- a. **General Considerations.**

- (1) Building windows above the second floor, and facing southern and westerly directions, should be treated or otherwise designed to increase energy efficiency for the building while still maintaining the architectural integrity of the building and quality design of the site.
- (2) The Town encourages the use of solar arrays or other types of solar-based energy generation into all new roofing structures. Consider the pitch of roofs and orientation of the building when designing the project so as to maximize solar energy generation.
- (3) Consider the use of green roofs or other innovative methods of reducing impervious areas and heat islands on project sites.
- (4) Consider the use of on-site cisterns for rain water collection, and the use of grey-water recycling systems.
- (5) Consider using LEED, LEEP, or similar standards and thresholds to improve overall site and building quality in terms of energy efficiency and renewable resources.



15.11 Special Use Regulations

- 1. **Purpose and Intent.** The purpose of the following Special Use Regulations is to address concerns and provide standards for the following types of development and issues specific to downtown Frederick. These standards should ensure consistency with the vision and goals defined in this zoning code, by providing guidance to planners, developers, and residents on these unique topics.
- 2. **Live/Work.** Live/work units are built spaces that function predominantly as work spaces and secondarily as residences. Live/work units are permitted in buildings through the site plan process when they demonstrate compliance with the following standards:
 - a. The unit must contain a cooking space and bathroom in conformance with applicable building standards.
 - b. Adequate and clearly defined working space must constitute no less than fifty percent of the gross floor area of the live/work unit. Said working space shall be reserved for and regularly used by one or more persons residing there.
 - c. At least one residence in each live/work unit shall maintain at all times a valid Town business license for a business on the premises.

- c. Property owners of vacant storefronts shall use creative temporary alternative uses of storefront window areas such as using them as a display area for community info, public art by local artists, and merchandise from other stores.
- d. Property owners of vacant storefronts should consult with the Town and Chamber of Commerce regarding possible available tenants.
- e. Vacant storefronts shall not be boarded up, or otherwise appear derelict or abandoned.
- f. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.